



General Assembly

***Amendment***

***January Session, 2015***

**LCO No. 9222**



Offered by:  
REP. SRINIVASAN, 31<sup>st</sup> Dist.

To: Subst. Senate Bill No. **366**

File No. 543

Cal. No. 645

(As Amended by Senate Amendment Schedule "A")

***"AN ACT CONCERNING NOTICE OF PESTICIDE APPLICATIONS  
AT PUBLIC SCHOOLS AND AUTHORIZING THE USE OF CERTAIN  
MICROBIALS."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsections (c) to (e), inclusive, of section 10-231c of the  
4 general statutes are repealed and the following is substituted in lieu  
5 thereof (*Effective October 1, 2015*):

6 (c) (1) On and after July 1, 2000, parents or guardians of children in  
7 any school and school staff may register for prior notice of pesticide  
8 application at their school. Each school shall maintain a registry of  
9 persons requesting such notice. Prior to providing for any application  
10 of pesticide within any building or on the grounds of any school, the  
11 local or regional board of education shall provide for the [mailing]  
12 transmittal of notice, by electronic mail or the primary social media

13 account of such school or local or regional board of education, to  
14 parents and guardians who have registered for prior notice under this  
15 section such that [the] such electronic mail notice is received no later  
16 than twenty-four hours prior to such application. Notice shall be given  
17 by any means practicable to school staff who have registered for such  
18 notice. Notice under this subsection shall include [(1)] (A) the name of  
19 the active ingredient of the pesticide being applied, [(2)] (B) the target  
20 pest, [(3)] (C) the location of the application on the school property,  
21 [(4)] (D) the date of the application, and [(5)] (E) the name of the school  
22 administrator, or a designee, who may be contacted for further  
23 information.

24 (2) On and after October 1, 2015, prior to providing for any  
25 application of pesticide within any building or on the grounds of any  
26 school, in addition to the requirements of subdivision (1) of this  
27 subsection, the local or regional board of education shall provide for  
28 notice of such application not less than twenty-four hours prior to such  
29 application by posting the notice required by subdivision (1) of this  
30 subsection either on or through: the home page of the Internet web site  
31 for the school where such application will occur, or, in the event such  
32 school does not have a web site, on the home page of the Internet web  
33 site for such local or regional board of education. For purposes of this  
34 section and section 10-231d, as amended by this act, "social media"  
35 means an electronic medium where users may create and view user-  
36 generated content, such as uploaded or downloaded videos or still  
37 photographs, blogs, video blogs, podcasts or instant messages.

38 (d) On and after July 1, 2000, no application of pesticide may be  
39 made in any building or on the grounds of any school during regular  
40 school hours or during planned activities at any school except that an  
41 emergency application may be made to eliminate an immediate threat  
42 to human health if (1) it is necessary to make the application during  
43 such a period, and (2) such emergency application does not involve a  
44 restricted use pesticide, as defined in section 22a-47. No child may  
45 enter an area where such application has been made until it is safe to

46 do so according to the provisions on the pesticide label.

47 (e) On and after July 1, 2000, a local or regional board of education  
48 may make an emergency application of pesticide without prior notice  
49 under this section in the event of an immediate threat to human health  
50 provided the board provides for notice, by any means practicable, on  
51 or before the day that the application is to take place to any person  
52 who has requested prior notice under this section.

53 Sec. 2. Section 22a-66l of the general statutes is repealed and the  
54 following is substituted in lieu thereof (*Effective from passage*):

55 (a) Each state department, agency or institution shall use integrated  
56 pest management at facilities under its control if the Commissioner of  
57 Energy and Environmental Protection has provided model pest control  
58 management plans pertinent to such facilities.

59 (b) Each state agency or school which enters into a contract for  
60 services for pest control and pesticide application may revise and  
61 maintain its bidding procedures to require contractors to supply  
62 integrated pest management services.

63 (c) The Commissioner of Energy and Environmental Protection  
64 shall, within available appropriations, annually review a sampling of  
65 state department, agency, school or institution pest control  
66 management plans required by regulations adopted under subsection  
67 (e) of this section or section 10-231b, and may review any application  
68 of pesticides to determine whether a state department, agency, school  
69 or institution acted in accordance with subsection (a) of this section.

70 (d) The Commissioner of Energy and Environmental Protection may  
71 provide model pest control management plans which incorporate  
72 integrated pest management for each appropriate category of  
73 commercial pesticide certification which it offers. The commissioner  
74 shall, within available resources, notify municipalities, school boards,  
75 and other political subdivisions of the state of the availability of the  
76 model plans for their use. The Commissioner of Energy and

77 Environmental Protection shall consult with any state agency head in  
78 the development of any such plan for properties in the custody or  
79 control of such agency head.

80 (e) The Commissioner of Energy and Environmental Protection, in  
81 consultation with the Commissioner of Public Health, shall adopt  
82 regulations, in accordance with the provisions of chapter 54,  
83 establishing requirements for the application of pesticides by any state  
84 department, agency or institution. Such regulations shall include  
85 provisions: (1) [for] Requiring the use of integrated pest management  
86 methods [to] that reduce the amount of pesticides used if the  
87 Commissioner of Energy and Environmental Protection has provided  
88 model pest control management plans pertinent to such facilities, and  
89 (2) for the retention of records by each state department, agency or  
90 institution that applies any pesticide or implements an integrated pest  
91 management program that include, but are not limited to, the need  
92 that resulted in the use of pesticides, the location treated with such  
93 pesticide, the frequency of pesticide application at such location, the  
94 toxicity category and carcinogenic classification for any pesticide used,  
95 as established by the United States Environmental Protection Agency,  
96 and the cost for each pesticide application. Notwithstanding the  
97 provisions of this section and any regulations adopted under this  
98 section, a pesticide may be applied if the Commissioner of Public  
99 Health determines there is a public health emergency or the  
100 Commissioner of Energy and Environmental Protection determines  
101 that such application is necessary for control of mosquitoes.

102 (f) The Commissioner of Energy and Environmental Protection shall  
103 develop and implement a program to inform the public of the  
104 principles of integrated pest management and to encourage its  
105 application in private properties.

106 Sec. 3. Subsection (d) of section 22a-65 of the general statutes is  
107 repealed and the following is substituted in lieu thereof (*Effective from*  
108 *passage*):

109 (d) [The commissioner shall establish a Pesticide Advisory Council  
110 consisting of, but not limited to, the director of the Agricultural  
111 Experiment Station, the Commissioner of Agriculture, the  
112 Commissioner of Public Health, and the dean of the college of  
113 agriculture of The University of Connecticut or their respective  
114 designees. The council shall meet at least annually and the  
115 commissioner may consult with the Pesticide Advisory Council on  
116 technical matters involving the application and use of pesticides, the  
117 determination of imminent hazards and the unreasonable adverse  
118 effects on the environment before promulgating regulations or orders  
119 in carrying out this part, subsection (a) of section 23-61a and sections  
120 23-61b and 23-61f.] (1) There is established a Pesticide Advisory  
121 Council that shall consist of: (A) The Commissioner of Energy and  
122 Environmental Protection, who shall serve as chairperson of said  
123 advisory council; (B) the Commissioner of Public Health; (C) the  
124 Commissioner of Agriculture; (D) the Commissioner of Education; (E)  
125 the Commissioner of Transportation; (F) the director of the  
126 Connecticut Agricultural Experiment Station; and (G) the dean of the  
127 College of Agriculture of The University of Connecticut; or said  
128 commissioners' or dean's designees.

129 (2) The Pesticide Advisory Council shall meet at least annually and  
130 shall advise the Commissioner of Energy and Environmental  
131 Protection on technical matters involving the application and use of  
132 pesticides, the determination of imminent hazards and the  
133 unreasonable adverse effects on the environment before adopting  
134 regulations or orders in carrying out the provisions of this part,  
135 subsection (a) of section 23-61a and sections 23-61b and 23-61f.

136 (3) Such council shall, on an ongoing basis, review organic and  
137 synthetic pesticides for safety and effectiveness and report the results  
138 of such review to the Commissioner of Energy and Environmental  
139 Protection for consideration in adopting regulations. The  
140 commissioner shall, in consultation with the council, create, publish  
141 and regularly update a report on best practices regarding the safe and

142 effective use of synthetic and organic pesticides by municipalities. In  
 143 accordance with the provisions of section 11-4a, such report shall be  
 144 submitted annually, on or before January fifteenth to the joint standing  
 145 committee of the General Assembly having cognizance of matters  
 146 relating to the environment.

147 Sec. 4. Section 22a-65 of the general statutes is amended by adding  
 148 subsection (e) as follows (*Effective from passage*):

149 (e) The commissioner may establish a regional purchasing program  
 150 through which municipalities or regional councils of government may  
 151 purchase pesticides for a reduced price.

152 Sec. 5. (NEW) (*Effective from passage*) The Commissioner of Energy  
 153 and Environmental Protection shall, in consultation with the Pesticide  
 154 Advisory Council established pursuant to section 22a-65 of the general  
 155 statutes, as amended by this act, review the integrated pest  
 156 management monitoring Internet web site maintained by the state of  
 157 Massachusetts for the purpose of determining whether to create a  
 158 similar resource in the state of Connecticut. The commissioner shall  
 159 submit a recommendation on such establishment to the joint standing  
 160 committee of the General Assembly having cognizance of matters  
 161 relating to the environment not later than February 1, 2016."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2015</i>	10-231c(c) to (e)
Sec. 2	<i>from passage</i>	22a-66l
Sec. 3	<i>from passage</i>	22a-65(d)
Sec. 4	<i>from passage</i>	22a-65
Sec. 5	<i>from passage</i>	New section